



11-8-08

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**In the United Patent and Trademark Office**

Application Number: 10/ 779,349

Application filed: 02/14/2004

Applicant: Yuriy Prokofyev

Title: Universal modular building block and method and structures based on the use of the aforementioned block

San Francisco, CA  
November 3<sup>rd</sup> 2004

**ELECTION OF SPIECES**

To: Nahid Amiri  
Patent Examiner  
USPTO

Dear Mrs. Amiri:

In response to your communication as of August 5<sup>th</sup> 2004, ( see attached) with regard to patent application 10/779,349, we elect for subsequent prosecution following claims of this invention:

1. Claims 1-17 of this patent application.

Very truly yours,

Applicant:  
Yuriy Prokofyev

## **DETAILED ACTION**

### ***Election/Restrictions***

The inventions are distinct, each from the other because of the following reasons:

Restriction to one of the following inventions is required under 35 U.S.C. 121:

- I. Claims 1-17, drawn to apparatus of an universal hollow modular building block, classified in class 52, subclass 592.3.
- II. Claims 18-21, drawn to a method of building a structural element such as a wall, classified in class 52, subclass 741.13.
- III. Claims 22-26, drawn to apparatus of structural element such as a wall, classified in class 52, subclass 437.

Inventions I, III and II are related as apparatus and method. The inventions in this relationship are distinct each from the other because of the following reasons:

Inventions I regarding the apparatus of a universal hollow modular building block , invention II regards to a method of building a structural element such as a wall and invention III regards to apparatus of structural element such as a wall. Therefore, these are three separate inventions with different modes of operation, functions (MPEP § 806.05, MPEP § 808.01) are patentably distinct as shown by their mutually exclusive characteristics.

Inventions I, III and II are related as product made and process of making. The inventions are distinct if either or both of the following can be shown: (1) that the process as claimed can be used to make other and materially different product or (2) that the product as claimed can be made by another and materially different process (MPEP § 806.05(f)). In the instant case the method is used to construct a support column for building structure.

Because these inventions are distinct for the reasons given above and have acquired a separate status in the art as shown by their different classification, restriction for examination purposes as indicated is proper.

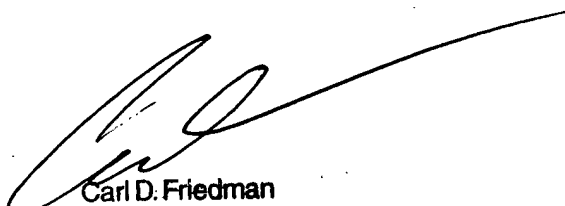
Art Unit: 3635

***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Nahid Amiri whose telephone number is (703) 305-4241 and Fax number is 703-305-7687. The examiner can normally be reached on Monday-Friday from 8:00-5:30 p.m. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor Carl Friedman can be reached at (703) 308-0839.

na 

August 05, 2004

  
Carl D. Friedman  
Supervisory Patent Examiner  
Group 3600